



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

PERMIT FOR MUNICIPAL
SOLID WASTE (MSW) MANAGEMENT FACILITY
Issued under provisions of Texas
Health & Safety Code
Chapter 361

MSW Permit No.: 2358

Name of Permittee: Sanitation Solutions
1802 South Church Street
Paris, TX 75460

Property Owner: Mr. Barney Bray
1802 South Church Street
Paris, TX 75460

Facility Name: Blossom Prairie Landfill

Classification of Site: Type I Municipal Solid Waste Management Facility

The permittee is authorized to store, process, and dispose of wastes in accordance with the limitations, requirements, and other conditions set forth herein. This permit is granted subject to the rules and orders of the Commission and laws of the State of Texas and it replaces any previously issued permit. Nothing in this permit exempts the permittee from compliance with other applicable rules and regulations of the Texas Commission on Environmental Quality. This permit will be valid until canceled, amended, or revoked by the Commission.

APPROVED, ISSUED AND EFFECTIVE in accordance with Title 30 Texas Administrative Code Chapter 330.

ISSUED DATE: **OCT 13 2009**


For the Commission

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Blossom Prairie landfill
MSW Permit No. 2358

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PART NO. 1

I. Size and Location of Facility

- A. The Blossom Prairie Landfill is located in Lamar County, Texas on CR 15100 approximately one mile southeast of the intersection of FM 194 and CR 15100.
- B. The legal description is contained in Part I of the application found in Attachment A of this permit.
- C. Coordinates and Elevation of Site Permanent Benchmark:
 - Latitude: 33° 37' 35" N
 - Longitude: 95° 19' 56" W
 - Elevation: 498.66 feet above mean sea level (msl)

II. Waste Management Units and Operations Authorized

- A. Days and Hours of Operation

The operating hours for receipt of waste and for all landfill related operations at this municipal solid waste facility shall be any time between the hours of 6:00 a.m. to 7:00 p.m. on Monday through Friday, and from 6:00 am to 3:00 pm on Saturday. The landfill will be closed on Sundays and holidays.

- B. Wastes Authorized at This Facility

The permittee is authorized to dispose of municipal solid waste resulting from, or incidental to, municipal, community, commercial, institutional, recreational and industrial activities, including garbage, putrescible wastes, rubbish, ashes, brush, street cleanings, dead animals, construction-demolition waste, yard waste, class 2 non-hazardous industrial solid waste, class 3 non-hazardous industrial solid waste, and certain special wastes that are identified in Part IV found in Attachment A of this permit. The acceptance of the special wastes, indicated in Part IV of Attachment A of this permit, is contingent upon such waste being handled in accordance with Title 30 Texas Administrative Code (30 TAC) Section (§) 330.171, and in accordance with the listed and described procedures in Part IV found in Attachment A of this permit, subject to the limitations and special provisions provided herein.

C. Wastes Prohibited at This Facility

The permittee shall comply with the waste disposal restrictions set forth in 30 TAC §330.15(e). Class 1 nonhazardous industrial solid waste, hazardous waste from any source, and any other waste not identified in Section II.B. of this permit shall not be accepted at this facility.

D. Waste Acceptance Rate

Authorized solid waste may be accepted for disposal at this site at the initial rate of approximately 143,000 tons-per-year (approximately 500 tons-per-day based on 286 days-per-year of operation) and increasing over time to a maximum acceptance rate of approximately 429,000 tons-per-year (approximately 1,500 tons-per-day based on 286 days-per-year of operation). The actual yearly waste acceptance rate is a rolling quantity based on the sum of the previous four quarters of waste acceptance.

E. Waste Volume Available for Disposal

The total waste disposal capacity of the landfill is based upon the information contained in Appendix IIIA, Site Life Calculations, Part III, Site Development Plan, found in Attachment A of this permit.

F. Authorized Waste Management Units

The permittee is authorized to operate a Type I municipal solid waste landfill that utilizes a combination of an area excavation fill and aerial fill of the municipal solid waste landfill subject to the limitations contained herein. All waste disposal activities subject to permitting are to be confined to the following facilities, which shall include disposal units, structures, appurtenances, or improvements: access roads, dikes, berms and temporary drainage channels, permanent drainage structures, detention ponds, landfill gas management system, contaminated water management system, final cover, groundwater monitoring system, landfill liner system, and other improvements.

G. Changes, Additions, or Expansions

Any proposed facility changes must be authorized in accordance with the Texas Commission on Environmental Quality (TCEQ) permit amendment or modification rules, 30 TAC Chapters 305 and 330.

III. Facility Design, Construction, and Operation

- A. Facility design, construction, and operation and/or maintenance must comply with the provisions of this permit; Commission Rules, including 30 TAC §§330.59 through 330.67, 330.71, 330.121 through 330.177 or 330.179 if accepting Class 1 industrial waste, include 330.201 through 330.249 if facility includes processing units, 330.331 through 330.341, 330.401 through 330.421, 330.451 through 330.465, 330.501 through 330.509, and 330.543 through 330.559; special provisions contained in this permit; and Parts I through IV of the application found in Attachment A of this permit. The facility construction and operation shall be managed in a manner that protects human health and the environment.
- B. The entire waste management facility shall be designed, constructed, operated, and maintained to prevent the release and migration of any waste, contaminant, or pollutant beyond the point of compliance as defined in 30 TAC §330.3 and to prevent inundation or discharge from the areas surrounding the facility components. Each receiving, storage, processing, and disposal area shall have a containment system that will collect spills and incidental precipitation in such a manner as to:
 - 1. Preclude the release of any contaminated runoff, spills, or precipitation;
 - 2. Prevent washout of any waste by a 100-year storm; and
 - 3. Prevent run-on into the disposal areas from off-site areas.
- C. The site shall be designed and operated so as not to cause a violation of:
 - 1. The requirements of §26.121 of the Texas Water Code;
 - 2. Any requirements of the Federal Clean Water Act, including, but not limited to, the National Pollutant Discharge Elimination System (NPDES) requirements of §402, as amended, and/or the Texas Pollutant Discharge Elimination System (TPDES), as amended;
 - 3. The requirements under §404 of the Federal Clean Water Act, as amended; and
 - 4. Any requirement of an area wide or statewide water quality management plan that has been approved under §208 or §319 of the Federal Clean Water Act, as amended.

- D. Contaminated water shall be handled, stored, treated, disposed of, and managed in accordance with 30 TAC §§330.305(g), 330.65(c), 330.177, and 330.333, and Part III, Attachment 15 found in Attachment A of this permit. Other methods may be considered for approval as a modification to this permit.
- E. Best management practices for temporary erosion and sedimentation control shall remain in place until sufficient vegetative cover has been established to control and mitigate erosion on areas having final cover. Vegetative cover will be monitored and maintained throughout the post-closure care period in accordance with Part III Attachment 13 found in Attachment A of this permit.
- F. Storm water runoff from the active portion of the landfill shall be managed in accordance with 30 TAC §§330.305(c) and 330.165(c), and as described in Part III found in Attachment A of this permit.
- G. All facility employees and other persons involved in facility operations shall be qualified, trained, educated, and experienced to perform their duties so as to achieve compliance with this permit. The permittee shall comply with 30 TAC §330.59(f) and as described in Part I found in Attachment A of this permit. The permittee shall further ensure that personnel are familiar with safety procedures, contingency plans, the requirements of the Commission's rules and this permit, commensurate with their levels and positions of responsibility, in accordance with Part III and Part IV found in Attachment A of this permit. All facility employees and other persons involved in facility operations shall obtain the appropriate level of operator certification as required by recent changes in the statute and applicable regulations.
- H. The facility shall be properly supervised to assure that bird populations will not increase and that appropriate control procedures will be followed. Any increase in bird activity that might be hazardous to safe aircraft operations will require prompt mitigation actions.

IV. Financial Assurance

- A. Authorization to operate the facility is contingent upon compliance with provisions contained within the permit and maintenance of financial assurance in accordance with 30 TAC Chapter 330, Subchapter K and 30 TAC Chapter 37.
- B. Within 60 days prior to the acceptance of waste the permittee shall provide financial assurance instrument(s) for demonstration of closure of the landfill in accordance with 30 TAC §330.503. The closure cost estimate of \$4,468,800 (2009 dollars) is based on estimates as described in Part III found in Attachment A of this permit. The

financial assurance instrument shall be in an amount that includes the inflation factors for each calendar year following 2009 until the year the permit is issued.

- C. Within 60 days prior to the acceptance of waste, the permittee shall provide financial assurance instrument(s) for demonstration of post-closure care of the landfill in an amount for the entire landfill facility. The post-closure care cost estimate of \$4,360,703 (2009 dollars) is based on estimates as described in Part III found in Attachment A of this permit. The financial assurance instrument shall be in an amount that includes the inflation factors for each calendar year following 2009 until the year the permit is issued.
- D. The owner and/or operator shall annually adjust closure and/or post-closure care cost estimates for inflation within 60 days prior to the anniversary date of the establishment of the financial assurance instrument pursuant to 30 TAC §§330.503 and 330.507, as applicable.
- E. If the facility's closure and/or post-closure care plan is modified in accordance with 30 TAC §305.70, the permittee shall provide new cost estimates in current dollars in accordance with 30 TAC §§330.503, 330.463(b)(3)(D), and 330.507, as applicable. The amount of the financial assurance mechanism shall be adjusted within 45 days after the modification is approved. Adjustments to the cost estimates and/or the financial assurance instrument to comply with any financial assurance regulation that is adopted by the TCEQ subsequent to the issuance of this permit shall be initiated as a modification within 30 days after the effective date of the new regulation.

V. Facility Closure

Closure of the facility shall commence:

- A. Upon completion of the disposal operations and the site is completely filled or rendered unusable in accordance with Part III found in Attachment A of this permit;
- B. Upon direction by the Executive Director of the TCEQ for failure to comply with the terms and conditions of this permit or violation of State or Federal regulations. The Executive Director is authorized to issue emergency orders to the permittee in accordance with §§5.501 and 5.512 of the Water Code regarding this matter after considering whether an emergency requiring immediate action to protect the public health and safety exists;
- C. Upon abandonment of the site;

- D. For failure to secure and maintain an adequate bond or other financial assurance as required; or
- E. Upon the permittee's notification to the TCEQ that the landfill will cease to accept waste and no longer operate at any time prior to the site being completely filled to capacity.

VI. Site Completion and Closure

The landfill shall be completed and closed in accordance with 30 TAC §330.451 and the applicable portions of 30 TAC §§330.457 through 330.465. Upon closure, the permittee shall submit to the Executive Director documentation of closure as set out in 30 TAC §330.457. Post-closure care and maintenance shall be conducted in accordance with Part III found in Attachment A of this permit, for a period of 30 years or as otherwise determined by the Executive Director pursuant to 30 TAC §330.463(b).

VII. Standard Permit Conditions

- A. Parts I through IV, as described in 30 TAC §330.57(c), which comprise the Permit Application for MSW Permit No. 2358 are hereby made a part of this permit as Part No. 2: Attachment A. The permittee shall maintain Parts I through IV as described in 30 TAC §330.57(c), at the facility and make them available for inspection by TCEQ personnel as required by 30 TAC §330.125. The contents of Part III of Attachment A of this permit shall be known as the Site Development Plan, in accordance with 30 TAC §330.63(a). The contents of Part IV of Attachment A of this permit shall be known as the Site Operating Plan, in accordance with 30 TAC §330.65(a).
- B. Part No. 3: Attachment B, consisting of minor amendments, modifications, temporary authorizations, and corrections to this permit, is hereby made a part of this permit.
- C. The permittee shall comply with all conditions of this permit. Failure to comply with any permit condition may constitute a violation of the permit, the rules of the Commission, and the Texas Solid Waste Disposal Act, and is grounds for an enforcement action, revocation, or suspension.
- D. A pre-construction conference shall be held pursuant to 30 TAC §330.73(c) prior to beginning any construction within the permit boundary to ensure that all aspects of this permit, construction activities, and inspections are met. Additional pre-construction conferences may be held prior to the opening of the facility.

- E. A pre-opening inspection shall be held pursuant to 30 TAC §330.73(e).
- F. The permittee shall monitor sediment accumulations in ditches and culverts on a quarterly basis, and remove sedimentation to re-establish the design flow grades on an annual basis or more frequently if necessary to maintain the design flow.
- G. The tracking of mud off-site onto any public right-of-way shall be minimized.
- H. In accordance with 30 TAC §330.19(a), the permittee shall record in the deed records of Lamar County, a metes and bounds description of all portions within the permit boundary on which disposal of solid waste has and/or will take place. A certified copy of the recorded document(s) shall be provided to the Executive Director in accordance with 30 TAC §330.19(b).
- I. Daily cover of the waste fill areas shall be performed with clean soil that has not been in contact with waste or with an alternate daily cover which has been approved in accordance with 30 TAC §§330.165(d) and 305.70. Intermediate cover, run-on, and run-off controls shall not be constructed from soil that has been scraped up from prior daily cover or which contains waste.
- J. During construction and operation of the facility, measures shall be taken to control runoff, erosion, and sedimentation from disturbed areas. Erosion and sedimentation control measures shall be inspected and maintained at least monthly and after each storm event that meets or exceeds the design storm event. Erosion and sedimentation controls shall remain functional until disturbed areas are stabilized with established permanent revegetation. Erosion stability measures shall be maintained on top dome surfaces and external embankment side slopes during all phases of landfill operation, closure, and post-closure care in accordance with 30 TAC §330.305(d). The permittee shall maintain the on-site access road and speed bumps/mud control devices in such a manner as to minimize the buildup of mud on the access road and to maintain a safe road surface.
- K. In complying with the requirements of 30 TAC §330.145, the permittee shall consult with the local District Office of the Texas Department of Transportation or other authority responsible for road maintenance, as applicable, to determine standards and frequencies for litter and mud cleanup on state, county, or city maintained roads serving the site. Documentation of this consultation shall be submitted within 30 days after the permit has been issued.
- L. The permittee shall retain the right of entry onto the site until the end of the post-closure care period as required by 30 TAC §330.67(b).

- O. Regardless of the specific design contained in Attachments A and B of this permit, the permittee shall be required to meet all performance standards required by the permit, the regulations, and as required by local, state, and federal laws or ordinances.
- P. If differences arise between these permit provisions (including the incorporated Parts I through IV of Attachment A of this permit) and the rules under 30 TAC Chapter 330, the permit provisions shall hold precedence.
- Q. The permittee shall comply with the requirements of the air permit exemption in 30 TAC §106.534, if applicable, and the applicable requirements of 30 TAC Chapters 106 and 116.
- R. All discharge of storm water will be in accordance with the U.S. Environmental Protection Agency NPDES requirements and/or the State of Texas TPDES requirements, as applicable.

VIII. Incorporated Regulatory Requirements

- A. To the extent applicable, the requirements of 30 TAC Chapters 37, 281, 305, and 330 are adopted by reference and are hereby made provisions and conditions of this permit.
- B. The permittee shall comply with all applicable federal, state, and local regulations and shall obtain any and all other required permits prior to the beginning of any on-site improvements or construction approved by this permit.

IX. Special Provisions

The permittee shall complete the improvements to County Road 15100 identified on Page I/II-8-1 of the permit application prior to the pre-opening inspection required in Part No. 1, Section VII – Standard Permit Conditions, Condition E.

PART NO. 2

Attachment A

Parts I through IV of the permit application effective with the date on the permit.

PART NO. 2

Attachment A

Parts I through IV of the permit application effective with the date on the permit.

PART NO. 3

Attachment B

Minor amendments, corrections, and modifications may be issued for MSW Permit No. 2358

The minor amendment, modification, or correction document prepared and executed with an approval date shall be attached to this attachment. There is no limitation on the number of these documents that may be included in Attachment B of this permit.

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution
October 16, 2009

Mr. Josh Bray
Sanitation Solutions
1802 South Church Street
Paris, TX 75460

Re: Blossom Prairie Landfill – Lamar County
Municipal Solid Waste (MSW) - Permit No. 2358
Coordinates: N 33° 37' 32"; W 95° 19' 56"
CN603241415/RN N/A

Dear Mr. Bray:

Enclosed is a copy of the above referenced permit for a municipal solid waste facility issued pursuant to Chapter 361, Texas Health & Safety Code. The Site Development Plan, the Site Operating Plan, and all other documents and plans, including the application, prepared and submitted to support the permit application shall be considered a part of this permit and shall be considered as operational requirements of this permit.

If you have questions concerning this letter or if we may be of assistance regarding municipal solid waste, you may contact Mr. T. Wesley McCoy, P.G., Senior Geologist, MSW Permits Section, at mail code MC 124, P.O. Box 13087, Austin, Texas 78711; telephone number (512) 239-6669.

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality.

Sincerely,

A handwritten signature in black ink, appearing to read "Earl Lott", is positioned above the typed name.

Earl Lott, Director
Waste Permits Division

EL/TWM/

Enclosure

cc: Mr. Kevin Yard, P.E., SCS Engineers

bcc : All w/enclosure.

Mr. Michael Brashear, Waste Program Manager, Tyler Regional Office, MC R-5

Mr. T. Wesley McCoy, P.G., Senior Geologist, TCEQ, Waste Permits Division, MC 124

Mr. Rob Norris, TCEQ, Financial Assurance Section, MC 184

Mr. Keiandre McGruder, TCEQ, Waste Permits Division, MC 126

Ms. Dawn Dollins, TCEQ, Municipal Solid Waste Section, MC 124

Central Files

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 16, 2009

TO: Persons on the attached mailing list.

RE: Sanitation Solutions
Permit No. 2358

This letter is your notice that the Texas Commission on Environmental Quality (TCEQ) executive director (ED) has issued final approval of the above-named application. According to 30 Texas Administrative Code (TAC) Section 50.135 the approval became effective on October 13, 2009, the date the ED signed the permit or other approval unless otherwise specified in the permit or other approval.

You may file a **motion to overturn** with the chief clerk. A motion to overturn is a request for the commission to review the TCEQ ED's approval of the application. Any motion must explain why the commission should review the TCEQ executive director's action. According to 30 TAC Section 50.139 an action by the ED is not affected by a motion to overturn filed under this section unless expressly ordered by the commission.

A motion to overturn must be received by the chief clerk within 23 days after the date of this letter. An original and 7 copies of a motion must be filed with the chief clerk in person, or by mail to the chief clerk's address on the attached mailing list. On the same day the motion is transmitted to the chief clerk, please provide copies to the applicant, the ED's attorney, and the Public Interest Counsel at the addresses listed on the attached mailing list. If a motion to overturn is not acted on by the commission within 45 days after the date of this letter, then the motion shall be deemed overruled.

You may also request **judicial review** of the ED's approval. According to Texas Water Code Section 5.351 a person affected by the ED's approval must file a petition appealing the ED's approval in Travis County district court within 30 days after the effective date of the approval. Even if you request judicial review, you still must exhaust your administrative remedies, which includes filing a motion to overturn in accordance with the previous paragraphs.

Individual members of the public may seek further information by calling the TCEQ Office of Public Assistance, toll free, at 1-800-687-4040.

Sincerely,



LaDonna Castañuela
Chief Clerk

LDC/er

MAILING LIST
for
Sanitation Solutions
Permit No. 2358

FOR THE APPLICANT:

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FOR THE EXECUTIVE DIRECTOR
via electronic mail:

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